

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

MARK DIONNE SUTTLES

Petitioner

vs.

WARDEN, NOBLE CORRECTIONAL
INSTITUTION

Respondent

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Case Number: 1:06-cv-00055

Senior District Judge S. Arthur Spiegel

JUDGMENT IN A CIVIL CASE

Decision by Court: This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

. . . that the Court ADOPTS the Magistrate Judge's Report and Recommendation in its entirety (doc. 12) and DENIES WITH PREJUDICE Petitioner writ of habeas corpus (doc. 1). The Court FINDS that a certificate of appealability should not issue with respect to the claims alleged in the Petition. The Court CERTIFIES that an appeal of this Order would not be taken in "good faith" and therefore DENIES Petitioner leave to appeal in forma pauperis.

7/17/07

James Bonini, Clerk

s/Kevin Moser

Deputy Clerk